

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 79-80, 82-98, 100-109, 111-114, 116-118, 120-122, 127, 131, 134, 136-137, 149, 156, 159-164, 167-169 and 171-182 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto (6,111,604) in view of Reele et al. (5,893,037) and Tendler (5,555,286), and further in view of Cheng (5,957,718).

Regarding claims 79-80, 82-98, 100-109, 111-114, 116-118, 120-122, 127, 131, 134, 136-137, 149, 156, 159-164, 167-169 and 171-182, Hashimoto discloses a portable handheld multimedia recorder/player/communication apparatus (See figs. 1A, 1B, 8) comprising: a microcontroller; memory including built-in memory and replaceable interactive memory card for storing audio/video contents wherein the audio/video contents comprises sounds (i.e. music), still images (i.e. picture), combined sound with moving images (video); means for recording and playback from the memory the audio/video contents, wherein means for recording comprises audio recorder including microphone, video recorder including camera; speaker, display, control buttons (playback device is widely known in the art to comprise volume control such as up/down or muting, forward, reverse, pause, etc.) for audio/video playback functions; card socket

for receiving, securing and removing the replaceable interactive memory card; means for uploading/downloading (import/export) audio/video contents to/from external systems (i.e. PC or camera or telephones) via wired/wireless connections by utilizing attached wired/wireless transceivers such as cellular transceiver module (See figs. 1A, 1B, 8-16 and col. 3 line 43 to col. 4 line 47, col. 6 line 17 to col. 10 line 40). However, Hashimoto does not explicitly mention that the apparatus is integrated into a cellular phone or a satellite phone and further comprises: remote wired microphone (i.e. electronic stethoscope), remote wired headset, a radio, a GPS device, environmental sensors such as light, smoke or poisonous gas and the external system is Internet; means for recording and transmitting stored recorded content (by dialing a pre-stored number) including GPS information to external devices based upon activations of environmental sensors, or remote activation signals; and the socket and card configurations as recited in claims. Since Reele does teach an integrated camera/cellular phone (cellular phone is widely known in the art to have different settings for indicating incoming such as vibration, ring tones, or silent) within a single housing for capturing, storing and transmitting multi-media content to external device (See fig. 5 and col. 4 lines 47-65) and both Hashimoto and Reele does teach the combined camera/communication device; therefore, it would have been obvious to one skilled in the art to apply the Reele's teaching in integrating the apparatus as disclosed by Hashimoto into a cellular or satellite phone for the advantage of expanding the application to various types of communication devices. Since Hashimoto does suggest that the apparatus is capable to import/export contents to and from various types of

electronic systems and or devices; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the apparatus with a remote wired microphone, a remote wired headset, a radio, a GPS device, and/or Internet upload/download capability for the advantage of expanding the capability of the apparatus to accommodate various user intended uses. Further, since the concept of activating a system or device to record/transmit stored content (i.e. audio and/or video) including GPS information to a predetermined external system or device (by dialing a pre-loaded number) based upon activations of environmental sensors such as sound sensor or remote activation signals is known in the art as taught by Reele (See col. 5 lines 25-49) and Tendler (See fig. 1 and col. 5 line 50 to col. 8 line 14); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the concept of Reele & Tendler in modifying the apparatus, as disclosed by Hashimoto, with such activation means (i.e. with smoke, motion, or sound sensor) for the advantage of allowing user to remotely control the device as well as providing various means of automatically activation for the system. Finally, since Cheng teaches a device for receiving memory card of a portable communication device with the socket and card configurations as recited in claims (See figs. 1, 4-7 and col. 2 line 35 to col. 3 line 58); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teachings of Cheng in modifying the replaceable interactive memory card with its card socket for the advantage of preventing incorrect insertion of the memory card as well as allowing user to judge whether the

card is going to be inserted correctly or incorrectly based on the corner-cut of the memory card.

Response to Arguments

Applicant's arguments filed 09/22/2011 have been fully considered but they are not persuasive.

The applicant mainly argued that the cited prior arts fail to suggest the features "a sensor configured to detect any one or a combination of a sound, motion, and images to cause the phone to dial a preselected number upon detecting any one or a combination of the sound, motion, and images to transmit said data, wherein the microphone and the camera are configured to be remotely activated by external stimuli and/or by the sensor" (See Remark, page 20-22). The examiner respectfully disagrees with the applicant's argument. In this instant case, since the concept of activating a system or device to record/transmit stored content (i.e. audio and/or video) including GPS information to a predetermined external system or device (by dialing a pre-loaded number) based upon activations of environmental sensors such as sound sensor or remote activation signals is known in the art as taught by Reele (See col. 5 lines 25-49) and Tendler (See fig. 1 and col. 5 line 50 to col. 8 line 14) respectively; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the concept of Reele & Tendler in modifying the apparatus, as disclosed by Hashimoto, with such activation means (i.e. with smoke, motion, or sound sensor) for the advantage of allowing user to remotely control the device as well as providing various means of automatically activation for the system.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN A. TRAN whose telephone number is (571)272-7858. The examiner can normally be reached on Mon-Fri, 10:00AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tamesghen Ghebretinsae can be reached on (571) 272-3017. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/TUAN A TRAN/
Primary Examiner, Art Unit 2618